

RESOLUTION ORDERING THE WORK.

RESOLVED, that whereas the Board of Trustees of the City of Lodi, did on the 12th day of May, A.D.1919, pass its Resolution of Intention No. 20 to order the hereinafter described work to be done and improvement to be made in said City, which Resolution of Intention was duly and legally published as required by law, as appears from the affidavit of publication in THE LODI SENTINEL, made by C. E. PERCIVAL, now on file in the office of the City Clerk of said City of Lodi; and

WHEREAS, notices of the passage of said Resolution of Intention No. 20, headed "NOTICE OF IMPROVEMENT" were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, and on each and every street and highway in the assessment district described in said Resolution of Intention, in time, form, manner and number as required by law, after the passage of said Resolution of Intention, as appears from the affidavit of H. B. COLEMAN, who personally posted the same, and who, upon the completion of the posting of said notices, filed said affidavit in the office of said City Clerk, making oath that he completed the posting of said notices on the 20th day of May, A. D. 1919; and

WHEREAS, all protests or objections presented have been disposed of in time, form and manner as required by law, the Board of Trustees having found that said protests were made by the owners of less than one-half of the area of the property to be assessed for said improvements, and said Board having now acquired jurisdiction to order the proposed improvement, it is hereby,-

RESOLVED, that the public interest and convenience require the work herein described and the Board of Trustees of the City of Lodi, hereby order the following work to be done and improvement to be made in said City, to-wit:-

That Lodi Avenue, in said City, from the East line of Hutchins Street to a line 247.5 feet East of and parallel to the West line of Sacramento Street; and from a line 234.5 feet West of and parallel to the East line of Main Street, to the City Limits on the East, being the West line of Cherokee Lane.

BE IMPROVED:

(1) By grading the roadway and curb and gutter spaces of said Lodi Avenue.

(2) By constructing hydraulic concrete curbs and gutters of the combined type along each side of the roadway of said Lodi Avenue.

(3) By paving the roadway of said Lodi Avenue, between the gutter lines, with a pavement consisting of one and one-half (1½) inches of Warrenite Wearing Surface, laid on an asphaltic concrete base two and one-half (2½) inches in thickness.

(4) By constructing sidewalk approaches to each of the East and West

curbs on each of the intersections of said Lodi Avenue with all streets and avenues intersecting the same and terminating therein.

EXCEPTING, however, from all of the hereinabove described work such portion as is required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the hereinabove described work any of said work already done to the official grade.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk, and where certain work proposed to be done on the respective streets, avenues and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on the plans;

providing, however, that any duplication in such description shall be ignored.

Attention is also called to the Warrenite License Mixture Agreement for California, executed by Warren Brothers Company, March 3, 1919, the owner and holder of the patents and processes covering the said Warrenite pavement, which agreement is on file in the office of the City Clerk, and is hereby expressly referred to for greater certainty.

And, whereas, said contemplated work and improvement, in the opinion of the Board of Trustees, is of more than local or ordinary public benefit, said Board hereby makes the expense of said work or improvement chargeable upon a district, which district said Board hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the cost and expenses thereof; which said district is bounded and described as follows:

Commencing at a point on the east line of Hutchins Street 340 feet north of its intersection with the north line of Lodi Avenue; running thence easterly to a point on the east line of Cherokee Street, 111 feet north of the north line of Lodi Avenue; thence on a line 111 feet north of, and parallel to the north line of Lodi Avenue to a point on the west line of Cherokee Lane; said west line being the City Limits on the east; thence south and along the last named line to a point on the same, 140 feet South of the south line of Lodi Avenue; thence westerly along the north line of the alley running east and west between Hilborn Street and Lodi Avenue to its intersection with the east line of Stockton Avenue; thence southwesterly to the northeast corner of Lot Seven (7), Block "B," according to the official map of the LODI BARNHART TRACT, filed for record November 5th, 1906, at 3:05 P. M. in the office of the County Recorder of the said County of San Joaquin; thence westerly along the north line of said Lot Seven (7) produced to the northeast

corner of Lot Four (4), Block "A," of said LODI BARNHART TRACT; thence westerly along the north line of the last named lot and its westerly production to the northeast corner of Lot Four (4), Larson's Addition to Lodi, as per map thereof, on file in the office of the County Recorder of said County of San Joaquin; thence northwesterly along the north line of the last named lot to its intersection with the east line of South Sacramento Street; thence westerly to the southeast corner of Lot Six (6), Block One (1) of Hutchins Addition to Lodi, as per map of said Addition, on file in the office of the County Recorder, of said County of San Joaquin; thence westerly along the north line of the alley running east and west through the last named block to its intersection with the east line of School Street; thence southwesterly to the northeast corner of Lot Four (4) in Block Four (4), of said Hutchins Addition to Lodi; thence northwesterly along the north line of said lot to its northwest corner; thence southwesterly to the northeast corner

of Lot Twelve (12) in said Block Four (4); thence westerly along the north line of the last named lot to the intersection of its production with the east line of South Church Street; thence westerly to the northeast corner of Lot Four (4), Block Four (4), of Sturla's Addition to Lodi, as per map thereof on file in the office of the City Clerk, of said City of Lodi; continuing thence in the same westerly direction along the north line of Lots Four (4) and Seven (7) to the intersection of its production, with the east line of Hutchins Street; thence north and along said east line of Hutchins Street to the point of beginning.

PROVIDED, nevertheless, that the streets, avenues and alleys situate within said district shall be omitted from any assessment made or levied for paying the costs and expenses of the above mentioned work and improvement, the said streets, avenues and alleys belonging to said city, and being in use for the performance of a public function, to-wit, in use as public streets, avenues and alleys.

And it is further ordered and notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent (7%) per annum, will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Acts amendatory thereto, the last installment of which bonds shall mature nine years from the 2nd day of July next succeeding nine months from their date.

This resolution is adopted pursuant to the provisions of those certain Acts of the Legislature of the State of California, designated respectively as the "Improvement Act of 1911", and the "Improvement Bond Act of 1915", and Acts amendatory thereto.

The City Clerk is hereby directed to post a notice of said work, together with the plans and specifications therefor, conspicuously for five days on or near the Council Chamber door, inviting sealed proposals or bids for doing the work ordered. He is also directed to publish three times a notice inviting such proposals, and referring to the specifications posted or on file, in THE LODI SENTINEL, a tri-weekly newspaper published and circulated in said City of Lodi, and hereby designated for that purpose, said paper being the official newspaper of the said City of Lodi.

Upon motion of Trustee Montgomery, seconded by Trustee Morehead, the foregoing Resolution Ordereing the Work was adopted by the following vote:

Ayes: Trustees Montgomery, Morehead, Crose, Hale and Black.

Noes: None.

Absent: None.